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SENSITIVE

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E.O. 12958: N/A  
TAGS: [KCRM](#) [PGOV](#) [PREL](#) [RW](#)  
SUBJECT: GOVERNMENT OF RWANDA ASSURANCES ON BWINDI  
DEFENDANTS RECEIVED

REF: KIGALI 552

[1](#)1. (U) SENSITIVE BUT UNCLASSIFIED; PROTECT ACCORDINGLY.

[1](#)2. (SBU) Embassy received the following Letters of Assurance on Bwindi Defendants received from the Government of Rwanda on August 18, 2008 (reftel).

[1](#)3. (SBU) BEGIN TEXTS: The Government of Rwanda would like to make the following guarantees and assurances in respect to the Bwindi defendants named: 1. Leonidas Bimenyimana 2. Gregoire Nyaminani 3. Francois Karake

-- 1. The Government of Rwanda will provide Mssrs. Bimenyimana, Nyaminani and Karake with all legal and procedural guarantees provided for under the Rwanda Constitution, Rwanda law, and Rwanda's international legal obligations, including as party to the International Covenant on Civil and Political Rights, and in accordance with the provisions of Article 7.

-- 2. The Government further guarantees that strict adherence to the principle of due process will be fully respected to the letter in accordance with Rwanda Laws and on the basis of International Law and international standards.

-- 3. The Government of Rwanda will grant access upon requested; whether or not previously announced, to the U.S. Embassy and/or an agreed upon third party to visit Mssrs. Bimenyimana, Nyaminani and Karake during any period in which they are in official custody.

-- 4. The Government understands that the circumstances may require that sharing of such assurances with U.S. court, with the Bwindi defendants and their representatives, and/or as part of a public record of proceedings. Please accept the assurances of my highest consideration.

Yours sincerely, Tharcisse Karugarama Minister of Justice/Attorney General.

[1](#)4. (SBU) Assurances of the Office of the Prosecutor General on Bwindi Defendants Leonidas BIMENYIMANA, Gregoire NYAMINANI and Francois KARAKE.

I, Martin NGOGA, Prosecutor General of the Republic of Rwanda, offer the following guarantees and assurances in respect to the Bwindi defendants named above.

-- A. Making reference to and endorsing the Assurances and Guarantees conveyed by Minister of Justice and Attorney General Tharcisse KARUGARAMA, the Office of the Prosecutor General will not introduce into evidence in any prosecution any statement made by Mssrs. BIMENYIMANA, NYIRAMINANI and KARAKE obtained between 2001 and 2003 by Rwandan or United States officials.

-- B. Investigation and prosecution of the three named defendants will be conducted in accordance with the Rwandan Constitution, Rwandan law, and Rwanda's international legal obligations, including as a party to the International Covenant on Civil and Political Rights, and in accordance

with the provisions of Article 7.

-- C. The Office of the Prosecutor General understands that circumstances may require that sharing of such assurances with a U.S. court, with the BWINDI defendants and their representatives, and/or as part of a public record of proceedings.

Martin NGOGA, Prosecutor General.

END TEXTS

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